

heard cases where peace officers were accused of criminal conduct against other individuals, people they had arrested. And I want to talk about a situation that has occurred down to the Texas-Mexico border involving a Border Patrol agent by the name of David Sipes. David Sipes was a Border Patrol agent patrolling the south Texas area, and he came in contact with a coyote. A coyote is a phrase we use in the vernacular for a person who is a smuggler of human beings into the United States. He makes money off of the plight of people who want to be in the United States for economic reasons.

David Sipes arrested a coyote by the name of Jose Guevara, who resisted arrest. There was a fight that ensued and David Sipes hit Jose Guevara in the back of the head when he resisted arrest and he was charged with smuggling people into the United States.

But what happened was, the U.S. Attorney's Office, rather than prosecute the human smuggler, they decided to prosecute the Border Patrol agent for using too much force in arresting the coyote and charged him with civil rights violations against the illegal in this country smuggling other human beings.

David Sipes was tried for that offense. This all occurred back in April 2000. He was tried for that offense, civil rights violations, and the U.S. Attorney's Office vigorously and relentlessly prosecuted him for this so-called offense. But after the trial it turned out, after he was convicted of the civil rights violation, that the U.S. Attorney's Office hid evidence from David Sipes and his lawyer.

So the district judge ordered a new trial because the U.S. Attorney's Office cannot hide evidence in a criminal case, but they did so against this Border Patrol agent. Why? We don't know, but they did. So the district judge ordered the case to be retried. But before it could be retried, the U.S. Attorney's Office appealed the judge's decision, and the Fifth Circuit agreed with the trial judge that David Sipes was entitled to a new trial and the Federal Government's appeal was thrown out and this year David Sipes was retried.

The jury heard all of the evidence, evidence that the U.S. Attorney's Office hid from the jury when it was first tried, and in less than an hour David Sipes was found not guilty, and properly so.

The evidence that the U.S. Attorney's Office hid from the jury, well, first of all they never told the jury that the U.S. Attorney's Office gave this drug smuggler travel expenses so he could go back and forth to Mexico, that they gave him witness fees, that they gave him free telephone access, that they gave him a border crossing permit, that they gave him a U.S. Social Security card, and they even gave him a Texas driver's license. But the biggest thing that the jury never heard about, besides all these benefits, back room deals he was given, it turns out

that this human smuggler brought in another load of humans into the United States and the jury never heard about the second situation.

Why does our U.S. Attorney's Office hide this type of evidence from a jury? We are going to find out why, Madam Speaker. Not only that, but Guevara was given \$80,000 by our United States Government when he threatened to sue our government for his so-called illegal arrest, and reports are that he has gone back to Mexico and bought himself a ranch down there with American taxpayer money.

Madam Speaker, just last week David Sipes asked to receive back pay. Of course, our Federal Government fought that, too, but he received back pay for the 6 or 7 years that he was out of service with the Border Patrol. But his life was destroyed. His wife divorced him because of this. He went bankrupt. He is destitute and he lives with his original trial lawyer. All of this because our Federal Government fought every inch of the way to prosecute a Border Patrol agent for arresting a criminal on our border smuggling human beings instead of prosecuting a human smuggler, a coyote.

Our government had the choice, prosecute border agent or prosecute human smuggler, and our government chose poorly, and they prosecuted a Border Patrol agent.

Of course we all know this isn't the end of the story because with agents Ramos and Compean the same situation has occurred. But, Madam Speaker, justice is the one thing we should always find. And finally, after 7 years, a jury heard all of the evidence in this particular case and David Sipes was vindicated and our government chose the wrong side. We are going to follow this case and other cases and see why the government has gone wild about prosecuting Border Patrol agents.

And that's just the way it is.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Oregon (Mr. DEFAZIO) is recognized for 5 minutes.

(Mr. DEFAZIO addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. BURGESS) is recognized for 5 minutes.

(Mr. BURGESS addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Ms. KAPTUR) is recognized for 5 minutes.

(Ms. KAPTUR addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

The SPEAKER pro tempore. Under a previous order of the House, the gen-

tleman from Pennsylvania (Mr. SESTAK) is recognized for 5 minutes.

(Mr. SESTAK addressed the House. His remarks will appear hereafter in the Extensions of Remarks.)

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THE OFFICIAL TRUTH SQUAD

The SPEAKER pro tempore. Under the Speaker's announced policy of January 18, 2007, the gentleman from Georgia (Mr. PRICE) is recognized for 60 minutes as the designee of the minority leader.

Mr. PRICE of Georgia. Madam Speaker, I want to thank the leadership for allowing me to come to the floor this evening and spend a few moments and talk about some of the activity that has gone on here in the House over the past couple of weeks. This is an edition of the Truth Squad that I am pleased to be able to host.

The Truth Squad is a group of individuals who endeavor to come to the floor of the House and try to shed a little light, a little truth, a little honesty on the matters that are discussed here on the House floor. It is my privilege to come to the floor of the House tonight and talk about the work that is being done here in the House right now and in Congress.

On the House side, we are in the appropriations process, the time when we determine as a Congress, as a House of Representatives, how to prioritize, how to spend hard earned American taxpayer money. It has been an interesting process, Madam Speaker, as you well know.

Last week we had a fascinating time that really brought light to one of our favorite quotes and that is this quote here from Senator Patrick Moynihan.

Senator Moynihan said that everyone's entitled to their own opinion but no one's entitled to their own facts.

And so last week we had one of the appropriations bills come to the floor of the House and the majority party had determined that they were intent upon making certain that earmarks, or special projects, were never seen by not just the American people during the process of the debate but by Members of Congress. The appropriations process was such that the majority party had determined that these special programs or special projects in individuals' districts, what have come to be known as earmarks, some people know them as pork, that these special projects would not be seen by Members of Congress until the very end of the process, until the conference committee occurred, and then they would be put into the bill. The reason that that is important is that there would be no way from a procedural standpoint or parliamentary standpoint, no way to be able to have a Member of this House of Representatives stand up and say, I think that we ought to have a separate vote on spending X amount of dollars for this project. And that's just wrong, Madam Speaker.